

**BOARD OF GAME AND INLAND FISHERIES  
4000 WEST BROAD STREET  
RICHMOND, VIRGINIA 23230**

**OCTOBER 16, 2007, 9:00am**

**Present:** James W. Hazel, Chairman, Richard E. Railey, Jr., Vice-Chairman, Sherry S. Crumley, Ward Burton, Dr. William Greer, Charles Yates, Thomas Stroup; **Absent:** John W. Montgomery, Jr., Randy Kozuch and Mary Louisa Pollard; **Legal Counsel:** Roger Chaffe; **Director:** J. Carlton Courter, III; **Senior Staff:** Ray Davis, Gary Martel, David Whitehurst and Bob Duncan.

The Chairman called the meeting to order at 9:00am and introduced Mr. Jim Remington and Colonel Gerald Massengill former directors of the Agency. The Mission Statement was read into the minutes and Colonel Gerald Massengill led the Pledge of Allegiance to the Flag. The Chairman noted for the record a quorum was present and Mr. John Montgomery was scheduled to arrive at 10:00am.

**Recognition of Employees and Others:** The Chairman called upon J. Carlton Courter, III, Director to recognize Mrs. Florence “Belle” Harding for her years of service to the agency. The Director stated that she was employed by the Agency for nineteen years with a total cumulative 35 years of service to the Commonwealth. In addition to serving as confidential secretary to the Director, she served as secretary to the Board. He stated she was a tremendously hard worker and was hesitant to see her leave but she was certainly deserving of her retirement. Mrs. Harding was able to provide very valuable input on the history of the agency and some of the associations between the agency and various organizations in addition to the history of some the regulations that were passed by the Board. The Director called upon Colonel Massengill and Mr. Jim Remington to reflect on Mrs. Harding’s service to the Agency. Colonel Massengill thanked the director and the Board for the opportunity to speak and recognize Mrs. Harding. Colonel Massengill stated that he was particularly pleased to be in attendance and based on his years of service to the Commonwealth, he felt qualified to stated he could recognize and exceptional employee when he saw one and Belle Harding is right at the top of the ladder. If you look at all of Belle’s attributes and she has many – her loyalty is something that he will never forget. He stated that it was not blind loyalty; she would tell you what she thought and keep you straight where you needed to be straightened out! “Belle, for me personally thank you for all you did for me during the 18 months I was at Game and Inland Fisheries. A lot of pleasant memories, even the difficult times and the decisions that we had to make but none were more precious than my time with Belle Harding. So Belle thank you and I certainly wish you the best in your retirement you have certainly earned it.” Thank you very much. Mr. Jim Remington stated that he was the first director of the agency that Belle ever worked for as Executive Secretary. He stated that “she has suffered through at least four other directors and kept us all in line!” He wanted to wish her well and honor her today.

The Chairman and Director moved to the podium to present Mrs. Harding with her gifts and a Certificate of Recognition. The Chairman read into the minutes of the meeting the following:

*Certificate of Recognition and Appreciation*  
*for*  
*Florence M. “Belle” Harding*

**WHEREAS**, Belle Harding, who has served the Commonwealth with distinction for over 36 years, retired on October 1, 2007; and

**WHEREAS**, Belle Harding began her career in public service in June 1961, with the Department of Education, and continued with the Division of State Planning and Community Affairs, the Department of Correctional Education, and the Virginia Commonwealth University’s Medical College of Virginia Hospital; and

**WHEREAS**, Belle Harding began her employment at the Virginia Department of Game and Inland Fisheries on February 22, 1988; and

**WHEREAS**, Belle Harding served in a highly professional and capable manner as secretary to five Directors of the Virginia Department of Game and Inland Fisheries and to the Board of Game and Inland Fisheries; and

**WHEREAS**, Belle Harding gave unselfishly of her time and was a mainstay in the office of the Director of the Virginia Department of Game and Inland Fisheries, providing continuity in that office between Directors, Boards, and Administrations; and

**WHEREAS**, Belle Harding has been a valuable asset to the administration of the Virginia Department of Game and Inland Fisheries, committed to the conservation of fish and wildlife resources and the advancement of outdoor recreational opportunities for all Virginians and visitors; and

**WHEREAS**, Belle Harding developed excellent working relationships with legislators, with the Offices of the Secretary of Natural Resources and of the Governor, and with constituents across the state; and

**WHEREAS**, because of her considerable understanding of issues important to the Board and Department of Game and Inland Fisheries, Belle Harding contributed significantly to the successes of many initiatives, including notably the successful passage of House Bill 38 and the Watercraft Sales and Use Tax, and the passage of the constitutional amendment ensuring the right to hunt, fish, and trap wildlife in the Commonwealth;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Game and Inland Fisheries, at its meeting on this day, October 16, 2007, hereby commends Belle Harding for her outstanding service to the Commonwealth; for the support that she has provided to the Board of Game and Inland Fisheries; and for her commitment to the mission of the Virginia Department of Game and Inland Fisheries and to the natural resources of Virginia.

James W. Hazel, Chairman Date October 16, 2007

The Chairman and Director presented Mrs. Harding her 35 year certificate of service and a silver bowl. Mr. David Whitehurst represented the staff and presented her with a gift certificate to Paula Deen’s Restaurant in Savannah, Georgia along with many other Paula Deen items and a monetary gift from the staff and Board.

Mrs. Harding stated she wanted to thank everyone (the board, the staff). She was very humbled by all of the recognitions received today and stated it was a pleasure and an honor to be a part of this team. She could not have accomplished everything without the

support of the Board, the present board and the staff. She hopes that everyone will keep in touch.

The Chairman thanked everyone for all of their participation.

The Chairman stated Mr Marshall Davison had been invited today to be recognized for his service to the Board representing the First Congressional District. Due to previous commitments, Mr. Davison could not be present today. The Chairman stated for the minutes that “On behalf of the Board, he would like to express his sincere appreciation and dedication given to the Board and Agency during his tenure.” The plaque will be forwarded to him at a later date.

The Director recognized Mr. Charlie Sledd for his service and leadership in NASBLA. He was presented the 2007 Boating Safety Award at the 48<sup>th</sup> Annual Meeting during their meeting in Vermont.

**Public Comments on Non-Agenda Items:** The Chairman stated those who had registered to speak on regulatory items would be allowed to do so during the regulation presentation. There was only one person registered to speak on non – agenda items. The Chairman invoked the following rule: if you are representing a group you have 5 minutes and if you are speaking as an individual you have 3 minutes.

**Mr. Mark Britton, Rustburg, Virginia,** spoke regarding Clay Valley Kids Dove Shoot and the Eastern Virginia Big Game Contest.

Chairman called for additional comments non-agenda items. There were no additional comments. He stated that the purpose of the meeting today was to adopt the final regulations for the 2007 Regulation Review and Amendment Process (Fish, Wildlife Diversity, Boating Safety/Wildlife Permits, Law Enforcement (Model Ordinances), and Wildlife).

During a regulation period, all Board Members are required to track their *Ex Parte* Communications. The chairman asked all board members to declare their oral *Ex Parte* Communications before beginning the 2007 Proposed Final Regulation and Amendment Presentation. The *Ex parte* communications were as follows: Mr. Yates (1); Mr. Hazel (16); Mrs. Crumley (17); Dr. Greer (1); Mr. Hill (1); Mr. Railey (25 on the “Earn – a-Buck extra tag and 5 regarding the proposed unplugged shotgun regulation).

The Chairman called upon Mr. Gary Martel, Division Director of the Fisheries Division to present the Fish Regulation Proposals for final action. The staff recommends the proposed fish regulation amendments be adopted to become effective January 1, 2008.

### **Creel and Length Limits**

#### **4 VAC 15-320-25 Fish: Generally, Creel and length limits.**

**Summary:** The proposal is to (1) establish a “No walleye less than 18 inches” regulation in the Middle Fork Holston and South Fork Holston rivers, (ii) correct the “No possession

(catch and release only)” demarcation lines for American shad and hickory shad by adding “above Harvell Dam” after “Appomattox River” and adding “and the Mattapointe River” after “Pamunkey River”, (iii) modify anadromous (coastal) alewife and blueback herring creel and length limit regulations above and below the fall line in all coastal rivers of the Chesapeake Bay to be set by VMRC, and (iv) modify the creel and length limits for anadromous (coastal) alewife and blueback herring in the Meherrin, Nottoway, Blackwater (Chowan Drainage), North Landing, and Northwest rivers and their tributaries plus Black bay to “No Possession”.

## **Trout Fishing**

### **4 VAC 15-330-30 Trout Fishing. Creel limit; generally.**

**Summary:** The proposal is to (i) remove Philpott Reservoir from waters that have a special daily creel limit of two (2) trout and (ii) clarify that once trout are caught and taken into possession by an angler, these trout become part of that angler’s daily creel and cannot be releases (culled).

### **4 VAC 15-330-200 Fish: Trout Fishing. Special provisions applicable to Urban Fishing Program waters.**

**Summary:** The proposal is to clarify that, in Urban Fishing Program waters, once trout are caught and taken into possession by an angler, these trout become part of that angler’s daily creel and cannot be released (culled).

### **4 VAC 15-330-100 Fish: Trout Fishing. “Artificial lure” defined.**

**Summary:** The proposal is to clarify that a multiple number of single-hook artificial lures, such as dropper flies, fished in a series, may be used in single-hook artificial lure only waters.

### **4 VAC 15-330-120 Fish: Trout Fishing. Special provisions applicable to certain portions of Buffalo Creek, Dan River, ~~Jackson River~~, Pound River, Roaring Run, Sinking Creek, Smith River, and South Fork Holston River.**

**Summary:** The proposal is to remove the special trout regulation section of Jackson River from “16-inch minimum size (no trout less than 16 inches), 2 trout/day, only artificial lures with single hooks” special regulation trout streams and move it to 4 VAC 15-330-171, to clarify the types of lures that can be used on this portion of stream.

### **4 VAC 15-330-171 Fish: Trout Fishing. Special provisions applicable to certain portions of Jackson River.**

**Summary:** The proposal is to add the “16-inch minimum size (no fish less than 16 inches), 2 trout/day” special trout regulations section of Jackson River from the swinging bridge located just upstream from the mouth of Muddy Run, upstream three miles to the last for on FS 481D, to existing special regulation 4 VAC 15-330-171 for Jackson River as section B, in order to clarify that multiple-hook artificial lures can be used.

**4 VAC 15-330-160 Fish: Trout Fishing. Special provisions applicable to certain portions of Accotink Creek, Back Creek, Chestnut Creek, Hardware River, Holliday Creek, Holmes Run, North River, Passage Cree, Peak Cree, Pedlar River, North Fork of Pound and Pound rivers, Roanoke River, and South River.**

**Summary:** The proposal is to expand the current 1.9-mile section to a 3.1-mile section of Accotink Creek (Fairfax County) that is a delayed harvest trout stream (catch and release from October 1-May 31; trout may be creeled from June 1-September 30.)

### **Fishing Methods for Non-Game Fish**

**4 VAC 15-340-10 Fish: Seines and Nets. Haul seines to take fish for sale.**

**Summary:** The proposal is to make it illegal to harvest anadromous (coastal) alewife and blueback herring using a haul seine in Virginia Beach area waters.

**4VAC 15-340-20 Fish: Seines and Nets. Gill Nets**

**Summary:** The proposal is to make it illegal to harvest anadromous (coastal) alewife and blueback herring using gill nets in Virginia Beach waters.

**4 VAC 15-340-40 Fish: Seines and Nets. Dip nets; generally.**

**Summary:** The proposal of July 17 is to make it illegal to harvest anadromous (coastal) alewife and blueback herring using dip nets. **Staff's final recommendation is not to adopt this amendment.**

**4 VAC 15-350-20 Fish: Gigs, Grab Hooks, Trotlines, Snares, Etc. Gigs, grab hooks, etc; certain counties east of the Blue Ridge Mountains.**

**Summary:** The proposal is to add a reference so it is clear that there are some creel and length limits for nongame fish.

**4 VAC 15-350-30 Fish: Gigs, Grab Hooks, Trotlines, Snares, Etc. Gigs, grab hooks, etc.; certain counties west of the Blue Ridge Mountains.**

**Summary:** The proposal is to add a reference so it is clear that there are some creel and length limits for nongame fish.

**4 VAC 15-350-60 Fish: Gigs, Grab Hooks, Trotlines, Snares, Etc. Trotlines, juglines or set poles.**

**Summary:** The proposal is to add a reference so it is clear that there are some creel and length limits for nongame fish.

**4 VAC 15-350-70 Fish: Gigs, Grab Hooks, Trotlines, Snares, Etc. Taking common carp, northern snakehead, and gar with bow and arrow.**

**Summary:** The proposal is to (i) add the word "common" to go with "carp", (ii) add northern snakehead to the list of fish that can be taken with a bow and arrow, (iii) remove "crossbows" from the prohibited type of bows and arrows, and (iv) add a section to clarify that an unlimited number of common carp, northern snakehead, and gar can be taken with a bow and arrow, and snakeheads must be reported to the Department.

**The Chairman called for questions or discussion on the regulations as presented. There being no discussion the Chairman called for the motion.**

**Mr. Charles Yates made the following motion: Mr. Chairman, I hereby move that the Board adopt the fish regulation amendments as presented today to become effective, January 1, 2008. Motion seconded by: Dr. William Greer. The chairman asked for clarification on the motion – This includes the regulation that the staff recommends the Board not adopt. Mr. Martel stated that was correct. Ayes: Greer, Railey, Burton, Crumley, Hill, Yates, Stroup and Hazel.**

The Chairman called upon Mr. Martel to present the Wildlife Permits proposed Regulation Amendments for the 2007 Regulation Cycle on behalf of Mr. Charlie Sledd.

Mr. Martel presented the following Wildlife Permits Proposed Regulation Amendments for the 2007 Regulation Cycle.

#### **4 VAC 15-20-200 Fees for Miscellaneous Permits**

**Summary:** The proposal is to delete the reference in this regulation to Code of Virginia §29.1-743 and the subsequent permit that was authorized by the code language and to add the word annual so that it will be clear that these are annual fees.

#### **4 VAC 15-30-5**

**Summary:** The proposal is to add language to this regulation to make reference to the code section that gives the Board the authority for special permits, which it has in turn conferred upon the Director with regulation.

**The Chairman called for discussion on the proposed final regulations. Hearing none, The Chairman called for the motion.**

**Mr. Hill made the following motion: Mr. Chairman, I hereby move that the Board adopt the amendments to the wildlife permits regulations in the form in which they were proposed at the July 17, 2007 meeting. Motion seconded by Tom Stroup. Ayes: Greer, Railey, Burton, Crumley, Hill, Yates, Stroup and Hazel.**

The Chairman called upon Mr. David Whitehurst, Wildlife Diversity Division Director, to present the Wildlife Diversity Regulation Proposals for final action.

Mr. Whitehurst presented the following Wildlife Diversity Regulation Proposals for final action:

### **FISH AND WILDLIFE IN GENERAL**

#### **4 VAC 15-20-50. Definitions: “wild animal,” “native animal,” “naturalized animal,” “nonnative (exotic) animal” and domestic animal.”**

**Summary:** The proposal is to update the Department’s “List of Native and Naturalized Fauna of Virginia,” consistent with current nomenclature and knowledge of the wildlife

of the Commonwealth. Staff's final recommendation is to adopt the amendment as proposed.

## **INVASIVE AND EXOCTIC SPECIES**

### **4 VAC 15-20-210. Definitions and Miscellaneous: In General; Definitions; Nonindigenous Aquatic Nuisance Species.**

**Summary:** The proposal is to add the Chinese mitten crab (*Eriocheir sinensis*) to the list of Nonindigenous Aquatic Nuisance Species, thereby prohibiting the importation, possession, transportation, sale, etc., of this species within Virginia except as allowed by law, regulation, or permit. Staff's final recommendation is to adopt the amendment as proposed.

### **4 VAC 15-30-40. Definitions and Miscellaneous: Importation, Possession, Sale, Etc. of Animals; Importation requirements, possession and sale of nonnative (exotic) animals.**

**Summary:** The proposal is to add the Chinese mitten crab (*Eriocheir sinensis*) to the Virginia list of nonnative (exotic) predatory and undesirable species, whose introduction into Virginia would be detrimental to the native fish and wildlife of the state, thereby prohibiting the importation, possession or sale of this species without a permit. Staff's final recommendation is to adopt the amendment as proposed.

## **ENDANGERED AND THREATENED SPECIES**

### **4 VAC 15-20-130. Definitions and Miscellaneous: In General; Endangered and threatened species; adoption of federal list; additional species enumerated.**

**Summary:** The proposal is to (i) add the pistolgrip (*Tritogonia verrucosa*, a species of freshwater mollusk) and the Big Sandy crayfish (*Cambarus veteranus*) to the Virginia List of Endangered and Threatened Species, thereby prohibiting the taking, transportation, possession, or sale of these rare native species without a permit; and (ii) update the Virginia List of Endangered and Threatened Species by adopting current taxonomic nomenclature for a species on the list. Staff's final recommendation is to adopt the amendment as proposed but with the additional change recommended by staff to delete obsolete notes pertaining to the listing of the bald eagle.

## **COLLECTING, POSSESSING, AND SELLING WILDLIFE**

### **4 VAC 15-360-10. Fish: Aquatic Invertebrates, Amphibians, Reptiles, and Nongame Fish. Taking aquatic invertebrates, amphibians, reptiles, and nongame fish for private use.**

**Summary:** The proposal is to allow for the personal possession of selected species under certain conditions; allow for the liberation of certain species of native species of wildlife captured and held live under certain conditions; and allow for the use of turtle traps (hoop nets) for the taking of snapping turtles. Staff's final recommendation is to adopt the amendment as proposed, but with the additional change recommended by staff to delete

the language pertaining to the personal possession of selected species under certain conditions.

**The Chairman called for discussion on the presentation of the Wildlife Diversity regulations. Hearing none, the chairman called for the motion.**

**Mr. Railey made the following motion: Mr. Chairman, I hereby move that the Board adopt the wildlife diversity (nongame) regulation amendments as presented today, to become effective January 1, 2008. Motion Seconded by Mr. Stroup. Ayes: Greer, Railey, Burton, Crumley, Hill, Yates, Stroup and Hazel.**

The Chairman called upon Major Steve Pike to present the proposed regulation amendment on Model Local Government Ordinance for Hunting with Firearms.

Staff is recommending that the Board adopt the regulation amendment in the form in which it was proposed.

#### **Regulation 4 VAC15-270. Game. Firearms**

**Summary:** The proposed amendment would promulgate, through regulation, model local government ordinances for hunting with firearms, that address such matters as the caliber of the firearm, the type of firearm, and the type of ammunition used when hunting within a locality; individual Virginia county or city governments subsequently would have the option of adopting or not adopting one or more such model local government ordinances. The proposed amendment would not enact the model local government ordinances either statewide or within specific localities; rather, the applicability of one or more model ordinance in any Virginia locality would be dependent on the respective individual county or city governments subsequently adopting such model ordinance or ordinances. The Board of Game and Inland Fisheries is promulgating this proposed regulation amendment in fulfillment of Chapter 642 of the 2007 Acts of the Virginia General Assembly and §29.1-528 (A) of the Code of Virginia.

After Major Pike's presentation, the Chairman restated that these local model ordinances will be come effective only if they are adopted in their respective localities. They were prepared at the General Assembly's request for localities to consider. After a brief discussion, the Chairman called for a motion to for the Board to adopt these ordinances.

**Mr. Burton made the following motion: Mr. Chairman, I move that the Board adopt as final the amendment to regulation 4VAC15-270 pertaining to model firearms ordinances, in the form in which it was proposed. Motion seconded by: Mr. Railey. Ayes: Greer, Railey, Burton, Crumley, Hill, Yates, Stroup and Hazel.**

**At 10:01am, The Chairman called for a 10 minute recess. The Chairman called the meeting back to order at 10:12am. Mr. Montgomery arrived at 10:12am.**



The Chairman stated that Mr. Bob Duncan, Division Director, Wildlife Division will present the 2007 Proposed Final Wildlife Amendment Regulations. Following Mr. Duncan's presentation, the Chairman will recognize those who have registered to speak regarding the proposed wildlife regulations and amendments.

Mr. Duncan made the following Wildlife Regulations for the 2008 and 2009 Hunting and Trapping Seasons:

## **DEER**

### **4 VAC 15-90-22 Game: Deer Special late antlerless deer open season; Fairfax, Loudoun, and Prince William counties.**

**Summary:** The proposal is to (1) extend the special late antlerless deer open season in the counties of Fairfax, Loudoun, and Prince William through the last Saturday in March, and (ii) include Fauquier County in the special late antlerless deer open season.

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed with the following modification: 1) Staff recommends adding an exception for the department-owned lands within these counties on lines 7 and 8. The omission of this language in the proposal was an oversight when this regulation amendment was drafted. The exemption is recommended to maintain conservative antlerless harvests on state wildlife management areas in these counties. In addition, the months following deer season are an important period for small game hunters on department-owned lands in the affected area.

### **4 VAC 15-90-70 Game: Deer. Bow and arrow hunting.**

**Summary:** The proposal is to (i) begin the urban archery deer season on the first, rather than the third Saturday in September, and (ii) establish an antlerless deer archery season in Loudoun and Prince William counties with dates that correspond to the urban archery season.

### **4 VAC 15-90-80 Game: Deer: Muzzleloading gun hunting.**

**Summary:** The proposal is to (i) add one week to the beginning of the early special muzzleloading season west of the Blue Ridge and on national forest lands in Amherst, Bedford, and Nelson counties, (ii) establish a late muzzleloading season in the City of Suffolk (east of the Dismal Swamp line) and make the last six days of the season either-sex deer hunting days, and (iii) increase the number of either-sex deer hunting days during the late muzzleloading season in private lands in Grayson County from 1 to 6 days.

### **4 VAC 15-90-90 Game: Deer. Bag limit, bonus deer permits and special antlerless provision for youth hunters.**

**Summary:** The proposal is to (i) establish a special "Earn A Buck" regulation on private lands in the counties of Bedford, Fairfax, Fauquier, Franklin, Loudoun, Patrick, Prince William and Roanoke, (ii) require that in these counties at least one antlerless deer must

be taken before the second antlered deer of the license year can be taken, and (iii) require that in these counties an additional antlerless deer must be taken before the third antlered deer of the license year can be taken.

**4 VAC 15-90-91 Game: Deer. General firearms season either-sex deer hunting days.**

**Summary:** The proposal is to (i) increase either sex deer hunting days in 16 eastern Virginia city/counties (Albemarle, Chesapeake, Chesterfield, Essex, Goodland (east of US Route 522), Halifax, Hanover, Henrico, King George, King and Queen, New Kent, Pittsylvania (east of Norfolk Southern Railroad), Powhatan, Suffolk (east and west of the Dismal Swamp line), Virginia Beach and Westmoreland), (ii) reduce either-sex deer hunting days on private land in two western Virginia counties (Rockbridge and a portion of Rockingham), (iii) reduce either-sex deer hunting days on National Forest and Department-owned lands (public lands) in 12 counties (Amherst, Bedford, Bland, Botetourt, Carroll, Craig, Giles, Montgomery, Nelson, Pulaski, Roanoke, and Wythe), (iv) increase either-sex deer hunting days on Featherfin WMA, and (v) include a soon to be purchased DOF property in the public land either-sex day regulation in Russell and Washington Counties.

**BEAR**

**4 VAC 15-50-20 Game: Bear. Open season; first Monday in December and for 11 consecutive hunting days following in certain counties or portions of counties and on the Clinch Mountain and Hidden Valley Wildlife Management Areas.**

**Summary:** The proposal is to establish a two-week open season on bear on lands soon to be purchased by the Department of Forestry in Washington and Russell counties

**4 VAC 15-50-25 Game: Bear. Open season; cities of Chesapeake, Suffolk and Virginia Beach.**

**Summary:** The proposal is to change the opening date of the bear season from the first Monday in November to October 1, an increase of five weeks in the cities of Suffolk, Chesapeake and Virginia Beach.

**4 VAC 15-50-81 Game: Bear. Validating tags and checking bear by licensee or permittee.**

**Summary:** The proposal is to remove the requirement to “seal” (with a note tag) black bears harvested by licensees when they are checked at bear check stations.

**4 VAC 15-50-91 Game: Bear. Checking bear by persons exempt from license requirements or holding a license authorization number.**

**Summary:** The proposal is to remove the requirement to “seal” (with a nose tag) black bears harvested by license-exempt hunters when they are checked at bear check stations.

**SMALL GAME**

**4 VAC 15-200-10 Game: Rabbits and Hares. Open season; generally.**

**Summary:** The proposal is to change the closing date of the rabbit season from February 14 to the last day in February, statewide.

**TURKEY**

**4 VAC 15-240-11 (NEW) Game: Turkey. Open season; certain counties and areas; Saturday prior to the last Monday in October and for 11 hunting days following on, Thanksgiving Day, and on the Monday closest to December 2 through the last Saturday in December, both dates inclusive.**

**Summary:** The proposal is to shift the late segment of the 6-week fall turkey season in most counties east of the Blue Ridge Mountains so that it begins on the Monday nearest December 2 and would end on the last Saturday in December.

**4 VAC 15-240-31 Game. Turkey. Open season; certain counties and areas; Saturday prior to the last Monday in October and for 11 hunting days following, on Thanksgiving Day, and on the Monday closest to December 9 and for 11 hunting days following.**

**Summary:** The proposal is to shift the late segment of the 4-week fall turkey season so that it begins on the Monday nearest December 2 and would continue for 11 hunting days following.

**4 VAC 15-240-20 Game: Turkey. Open season; certain counties and areas; Saturday prior to the last Monday in October and for 11 hunting days following, and on Thanksgiving Day.**

**Summary:** The proposal is to add the City of Suffolk, Accomack County, and Northampton County to the 2-week and Thanksgiving Day fall turkey season.

**4 VAC 15-240-50 Game: Turkey. Continuous closed season in certain counties, cities, and areas.**

**Summary:** The proposal is to remove Accomack and Northampton counties and the city of Suffolk from the continuous closed fall season regulation.

**4 VAC 15-240-40 Game: Turkey. Open season; spring season for bearded turkeys.**

**Summary:** The proposal is to change the ending of legal shooting hours during the spring youth hunt day from 12 noon to sunset.

**4 VAC 15-240-51 (NEW) Game: Turkey. Youth fall turkey hunt**

**Summary:** The proposal is to provide a youth fall turkey hunt day on the third Saturday in October for youth 15 years of age and under.

**FURBEARER**

**4 VAC 15-70-70 (NEW) Game: Bobcat. Checking requirements.**

**Summary:** The proposal is to (i) establish a new mandatory automated harvest reporting system for all bobcats harvested by hunters and trappers and describe the procedures for reportin the harvest of bobcat within 24 hours after the kill, and (ii) provide for a confirmation process as proof of compliance with the regulation.

**4 VAC 15-70-50 Game: Bobcat. Pelts to be sealed before sale, etc.**

**Summary:** The proposal is to (i) remove the requirement to affix a CITES seal on bobcats that are mounted or tanned for personal use (not sold), and (ii) add a provision for the department to authorize individuals to affix CITES tags to bobcats themselves instead of requiring tagging by an “agent” of the department.

**4 VAC 15-110-10 Game: Fox. Hunting with Dogs Only. Closed season in certain areas.**

**Summary:** The proposal is to align the season dates for dog only fox hunting on the George Washington/Jefferson National Forest and on the Gathright, Goshen, G. Richard Thompson, Highland, Little North Mountain and Rapidan wildlife management areas, with the period when it is lawful to hunt foxes with firearms, thereby effectively extending the season for dog-only fox hunting on these areas from its current closing date of February 1, through the last day in February.

**4 VAC 15-110-75 Game: Fox. Trapping Foxhound training preserves; live-trapping for release.**

**Summary:** The proposal is to all coyotes to be released in foxhound training preserves that meet certain conditions as approved by the director or his designee.

**Staff Final Recommendation:** Staff does not recommend adopting this regulation proposal. Allowing coyotes to be released in foxhound enclosures may increase the number of coyotes illegally transported into Virginia from other states. Illegal importation of animals from outside Virginia and the disease risks associated with interstate trafficking of wildlife are serious concerns with significant biological implication. Although staff recognized the benefits of this proposal to foxhound training preserve operators and users, there was general consensus that the risks associated with increasing illegal importation were to great to justify recommending this change.

## **GENERAL REGULATIONS**

**4 VAC 15-40-30 Game: In General. Recorded wild animal or wild bird calls or sounds prohibited in taking game; bobcats, coyotes, crows, and foxes excepted.**

**Summary:** The proposal is to expand opportunities for hunters to use electronic calls on public land beyond department-owned wildlife management areas.

**4 VAC 15-40-190 Game: In General. Restricted use of body-gripping traps in excess of 7 ½ inches.**

**Summary:** The proposal is to modify the requirement that large body-gripping traps in excess of 7 ½” be covered by water so that they can be set when only half submerged by water.

**Staff Final Recommendation:** Staff does not recommend adopting this regulation proposal. Allowing large body-gripping traps to be set in shallow water would likely result in additional non-target captures. Staff was particularly concerned about setting half-submerged Conibears in areas with fluctuating water levels, possibly resulting in traps that are completely exposed. Since additional tools are available for trapping in shallow water ( i.e. snares and foothold traps), staff felt that the added risk of non-target captures outweighed the benefits of the proposed change.

**4 VAC 15-40-210 Game: In general. Restricted use of certain steel leg-hold traps.**

**Summary:** The proposal is to specify that the maximum jaw spread of foothold traps set above the ground be measured to the inside of the jaws.

**4 VAC 15-40-220 Game: In general. Use of deadfalls prohibited; restricted use of snares.**

**Summary:** The proposal is to (i) increase the maximum snare height by changing the measurement location from the top to the bottom of the snare loop, (ii) require cable stops that prevent the loop from closing smaller than 2 ½” in diameter o snares capable of opening more than 4”, and (iii) provide exemptions to snare restrictions for Department personnel and other individuals authorized by the Director to conduct certain types of wildlife damage management activities.

**Staff Final Recommendation:** Staff does not recommend adopting this regulation proposal. Although this change would improve the efficiency of capturing coyotes on trail sets, it would also increase the number of non-target captures of dogs and deer. Although snares rarely result in mortality of captured dogs, staff was reluctant to recommend a proposal that would increase the take of non-target species.

## **FIREARMS**

**4 VAC 15-270-40 Game: Firearms. Shooting or carrying riffle or pistol over public inland waters.**

**Summary:** The proposal is to (i) allow licensed trappers to shoot a .22 caliber rimfire firearm on or over public waters for the purpose of dispatching trapped animals, and (ii) authorize department personnel to carry and shoot rifles and pistols while conducting wildlife on public waters.

**4 VAC 15-270-80 (NEW) Game: Firearms. Shotgun shell capacity for non-migratory game and migratory game birds.**

**Summary:** The proposal is to (i) allow the use of shotguns without a restriction on the number of shells in the magazine and chamber combined for the hunting of non-

migratory game, and (ii) authorize the director to remove the three shell limitation in shotguns when hunting migratory game birds if allowed by Federal regulations.

## **WATERFOWL**

### **4 VAC 15-30-10 Game: Possession, importation, sale, etc. of wild animals.**

**Summary:** The proposal is to (i) prohibit the take, possession, importation, exportation, sale and release of captive reared waterfowl in Virginia except as otherwise permitted, and (ii) prohibit the release of captive reared mallards except as specified.

**Staff Final Recommendation:** Staff recommends adoption of the amendments as final in the form they were proposed with the following modification: (1) Staff recommends adding language on line 9 to clarify that hunt tests and open dog training season as specified in Section 4 VAC 15-40-70 are types of activities where the release of captive reared mallards may also occur.

### **4 VAC 15-40-70 Game: Open dog training season**

**Summary:** The proposal is to prohibit the release of captive reared and properly marked mallards during the open dog training seasons.

**Staff Final Recommendation:** Staff does not recommend this regulation proposal. Discussions with professional dog trainers and other interested parties revealed that a prohibition on the use of captive reared mallards as originally proposed would have greatly impacted their ability to train dogs on live birds thus negatively affecting the dog's performance in field trial and hunt test events.

### **4 VAC 15-260-140 Game: Non-toxic shot for waterfowl hunting**

**Summary:** The proposal is to include rails, snip, moorhens, gallinules and mergansers to the list of species for which the use of non-toxic shot is required when hunting such species.

Upon completion of Mr. Duncan's presentation, the Chairman thanked the staff for all of their hard work during this regulation cycle. The Chairman called for questions or discussion from the Board on the Wildlife Regulations as presented.

A brief discussion was held by the Board and Staff on 4 VAC 15-260-140 Game: Non-toxic shot for waterfowl hunting.

A brief discussion was held by the Board and Staff on 4 VAC 15-200-10 Game: Rabbits and Hares. Open Season generally.

A brief discussion was held by the Board and Staff on 4 VAC 15-270-80 (NEW) Game: Firearms. Shotgun shell capacity for non migratory game and migratory game birds.

A brief discussion was held by the Board and Staff on 4 VAC 15-30-10 Game: Possession, importation, sale, etc. of wild animals.

A brief discussion was held by the Board and Staff on 4 VAC 15-40-220 Game: In general. Use of deadfalls prohibited; restricted use of snares.

A brief discussion was held by the Board and Staff on 4 VAC 15-40-210 Game: in General. Restricted use of certain steel leg-hold traps.

After the conclusion of the discussion, the Chairman recognized those persons who had registered to speak regarding the Wildlife Regulations as presented. The Chairman invoke the following rule: If you are representing a group, you are allowed 5 minutes and if you are speaking as an individual, you are allowed 3 minutes.

**Mr. Gerald Duncan, Newport, Virginia**, spoke from his presentation regarding the Early Muzzle Loading Deer Season West of Blue Ridge. Regulation 4 VAC 15-90-80. He was in favor of the regulation change. All of the board members received a copy.

The Chairman thanked Mr. Duncan for his remarks.

**Mr. Carroll Dickenson, Broadway, Virginia**, represented the Shenandoah Valley Sportsman's Alliance. He thanked the staff for their hard work on the regulations and guidance on the organization. Mr. Dickenson stated they support the deer regulations as presented.

The Chairman thanked Mr. Dickenson for his remarks.

**Mr. Dave Burpe, Springfield, Virginia**, Vice-President of the Virginia Bow Hunters Association and President of the Virginia Sports Club stated he was authorized to speak for both groups. He spoke regarding the extra week of muzzleloader hunting west of the Blue Ridge. They did not support the extra week of muzzleloader hunting season west of the Blue Ridge.

The Chairman thanked Mr. Burpe for his comments.

**Mr. Floyd F. Smith, Goochland, Virginia** spoke in favor of the proposal to change the closing date of the rabbit season from February 14 to the last day in February, statewide. He also stated that he would be attending the Board Meetings in the future.

The Chairman thanked Mr. Smith for his comments.

**Mr. David Sexton, Oakwood, Virginia**, represented the Southwest Virginia Coon Hunters Federation. Mr. Sexton stated there were several items they would like for the Board to consider: (1) Chase season; (2) Chase season on public lands.

The Chairman thanked Mr. Sexton for his remarks.

**Mr. Vins Thornhill, Richmond, Virginia**, spoke against the captive reared mallard release proposal.

**Mr. Ladd Johnson, Cambridge, Maryland**, who represents the North American Game Bird Association, spoke in reference to the report submitted to the Board for their review. The report was in reference to the captive reared mallard releases.

After Mr. Johnson's remarks, a brief discussion was held between the Board and Mr. Johnson.

The Chairman thanked Mr. Johnson for his remarks.

**Mr. Paul Padding, Laurel Maryland**, who represents the U. S. Fish and Wildlife Service spoke regarding the captive reared mallard releases. He spoke regarding the Federal Regulation of Captive Reared Mallards.

After Mr. Padding's remarks, a brief discussion was held between the Board and Mr. Johnson.

The Chairman thanked Mr. Padding for his remarks.

**Mr. Bob Hoffman, Ann Arbor, Michigan**, who represents Ducks Unlimited, Inc., spoke regarding the proposed regulation for captive reared mallard releases. Ducks Unlimited supports the proposed regulation as presented.

After Mr. Hoffman's remarks, a brief discussion was held between the Board and Mr. Hoffman.

The Chairman thanked Mr. Hoffman for his remarks.

**Mr. M. Reed Knight, Virginia Beach, Virginia** spoke regarding the captive reared mallard proposal and the impact on black ducks.

The Chairman thanked Mr. Knight for his remarks.

**Mr. Scott Barras, Mosely, Virginia**, who represents the USDA Wildlife Services for Virginia, spoke regarding the captive reared mallard proposal diseases that spread among the waterfowl.

The Chairman thanked Mr. Barras for his remarks.

**Mr. Robbie Parker, Midlothian, Virginia**, spoke regarding his volunteer work with the Ducks Unlimited. Mr. Parker spoke regarding the proposed captive mallard release regulation. He also thanked the Board for their work.



The Chairman thanked Mr. Parker for his remarks.

**Mr. Melvin Jacks, West Point, Virginia**, spoke regarding extending the muskrat season.

The Chairman thanked Mr. Jacks for his remarks.

The Chairman stated that the Board would begin to entertain motions on the Wildlife regulations as presented. Mr. Duncan advised that the motions were organized by species or groups of species.

#### **DEER**

**The Chairman called for questions from the Board on the Final Recommendations on the regulation amendments as proposed for Deer. Hearing none, the Chairman called for the motion.**

**Ms. Crumley made the following motion: Mr. Chairman, I hereby move that the Board adopt the staff's final recommendations on the regulation amendments for deer. Motion seconded by: Dr. Greer. Ayes: Greer, Montgomery, Railey, Burton, Crumley, Hill, Yates, Stroup and Hazel.**

#### **BEAR**

**The Chairman called for questions from the Board on the Final Recommendations on the regulation amendments as proposed for Bear. Hearing none, the Chairman called for the motion.**

**Mr. Yates made the following motion: Mr. Chairman, I hereby move that the Board adopt the staff's final recommendations on the regulation amendments for bear. Motion seconded by: Mr. Railey. Ayes: Greer, Montgomery, Railey, Burton, Crumley, Hill Yates, Stroup and Hazel.**

#### **SMALL GAME**

**The Chairman called for questions from the Board on the Final Recommendations on the regulation amendments as proposed for Small Game.**

**After a brief discussion by the Board and Staff, the Board recommended amending the proposed final regulation as presented to become effective October 26, 2007.**

**Mr. Railey made the following motion: Mr. Chairman, I hereby move that the Board adopt the Final Recommendation on the regulation amendments as proposed for Small Game effective October 26, 2007. Motion Seconded by Mr. Burton. Ayes: Greer, Montgomery, Railey, Burton, Crumley, Hill, Yates, Stroup and Hazel.**

#### **TURKEY**

**The Chairman called for questions from the Board on the Final Recommendations on the regulation amendments as proposed for Turkey. Hearing none, The Chairman called for the motion.**

**Mrs. Crumley made the following motion: Mr. Chairman, I hereby move that the Board adopt the staff's Final Recommendations on the regulation amendments as proposed for Turkey. Motion Seconded: Mr. Stroup. Ayes: Greer, Montgomery, Railey, Burton, Crumley, Hill, Yates, Stroup and Hazel.**

### **FURBEARER**

**The Chairman called for questions from the Board on the Final Recommendation on the regulation amendments as proposed for Furbearer. Hearing none, the Chairman called for the motion.**

**Mr. Hill made the following motion: Mr. Chairman, I move that the Board adopt the staff's Final Recommendation on the regulation amendment as proposed for Furbearers. Motion seconded: Mr. Stroup. Ayes: Greer, Montgomery, Railey, Burton, Crumley, Hill, Yates, Stroup and Hazel.**

### **GENERAL REGULATIONS**

**The Chairman called for questions from the Board on the Final Recommendation on the regulation amendments as proposed for the General Regulations.**

**After discussion between the Board and the Staff, it was determined that 4 VAC 15-40-190 would remain as proposed during the July 17, 2007 meeting.**

**Mr. Burton made the following motion: Mr. Chairman, I hereby move that the Board adopt the staff's final recommendation on the regulation amendments 4 VAC 15-40-30; 4 VAC 15-40-210; 4 VAC 15-240-220 and it is the Board's recommendation to adopt 4 VAC 15-40-190 as originally proposed at the July 17, 2007 meeting. Motion seconded: Mr. Railey. Ayes: Greer, Montgomery, Railey, Burton, Crumley, Hill, Yates, Stroup and Hazel.**

### **FIREARMS**

**The Chairman called for questions from the Board on the Final Recommendation on the regulation amendments as proposed for Firearms. A brief discussion was held before the vote.**

**Mr. Railey made the following motion: Mr. Chairman, I move that the Board adopt the staff's final recommendation on the final proposed regulation amendments for Firearms. I further recommend the effective date for the proposed final regulation**

**amendment 4 VAC 30-10 as October 26, 2007. Motion Seconded: Mr. Stroup. The Chairman called for further discussion. After discussion, the Chairman called for a show of hands vote: In favor, Stroup, Hill, Hazel, Railey, Burton and Opposed: Yates, Montgomery, Crumley and Greer. Motion carries.**

## **WATERFOWL**

**The Chairman called for questions from the Board on the Final Recommendation on the regulation amendments as proposed for Waterfowl Regulations 4 VAC 15-40-70 and 4 VAC 15-260-140. Hearing none, the Chairman called for a motion on these 2 regulations presented.**

**Dr. Greer made the following motion: Mr. Chairman, I hereby move that the Board adopts the staff's final regulation amendments: 4 VAC 15-40-70 and 4 VAC 15-260-140. Motion Seconded: Mr. Montgomery. Ayes: Stroup, Hill, Hazel, Railey, Burton, Yates, Montgomery, Crumley and Greer.**

**The Chairman called for questions and discussion from the Board on the Final Recommendation on the regulation amendment as proposed for Waterfowl Regulation 4 VAC 15-30-10. A brief discussion was held on the regulation as presented, the Board recommended the revision of 4 VAC 15-30-10 to adopt Part A of the regulation as presented.**

**Ms Crumley made the following motion: Mr. Chairman, I hereby move that the Board adopt the staff's final recommendation amendment for 4 VAC 15- 30-10 Part A. Motion Seconded: Mr. Stroup. Ayes: Hill, Hazel, Stroup, Railey, Burton, Yates, Montgomery, Crumley and Greer.**

**The Board remained silent on Part B of 4 VAC 15-30-10 and the Board indicated that the moratorium on Mallard release areas would continue indefinitely**

The Board asked the Wildlife Division to put together a task force to continue to study the Captive Reared Mallard Release issues.

The Chairman thanked everyone on the Board for their work on moving these regulations forward as final adoption. The Chairman announced they would move forward with agenda items and would go into a closed session.

**Approval of Minutes:** The Chairman called for a motion to approve the August 21, 2007 Board meeting. Motion Made by Mr. Montgomery to approve the minutes. Motion Seconded by: Mr. Yates. Ms. Crumley stated that she had 3 corrections to the minutes of the meeting. (1) Ms. Carrie Crawford of New Castle, Virginia reported that she requested the Board to draft a reciprocal agreement for dog retrieval with adjoining states. She requested we remove "that she spoke regarding bear hunting and dog retrieval in adjoining counties" from her remarks. (2) Ms. Melinda Clary's remarks should reflect that hunting sport for her family and not the hunt club. (July Minutes) (3) Woo Daves

supported the comments made – Corrected to read that he supported the comments made supporting his fellow hounds men. ( July Minutes). Ms. Crumley stated has spoken with Ms. Drewery to correct these minutes. Ayes: Hill, Hazel, Stroup, Railey, Burton, Yates Montgomery, Crumley, Greer.

**Committee Reports:** The Chairman recognized Mr. John Montgomery, Chairman of the Wildlife and Boat Committee. Mr. Montgomery stated that the committee met on October 1, 2007 and he would recommend the Committee would continue to study the captive mallard release issues and work with the stakeholders.

Mr. Richard E. Railey, Jr., Chairman of the Education, Planning and Outreach Committee stated they had not met since the last Board Meeting. The next meeting is tentatively scheduled for November 14, 2007 at 2:00pm.

Mr. C. T. Hill, Chairman of the Finance, Audit and Compliance Committee stated that the Committee met on September 18, 2007. They received the SPCC report and the minutes are posted on the website. Mr. John Allen, the agency's internal auditor, made a presentation and covered several minor issues. The Committee reviewed the quarterly media report. The Chairman distributed a revised copy of the Committee's Charter with regards to the following amendments: **Responsibility: Add The Committee also has the responsibilities delegated by the board's anti-retaliation policy adopted July 25, 2005 found on page 2 of 3 of the Charter. Specific Duties of the Board: Item Number 11** Initiate any special investigations of **breach of the Board's Code of Ethics and Conduct:** conflict of interest; and non-compliance with federal, state and local laws and regulations that is **found on Page 3 of 3 of the Charter.**

**Mr. Hill made the motion on behalf of the Committee, that the Board adopt these changes to the charter as presented. The Chairman called for a second on the motion to adopt the changes to the Finance, Audit and Compliance Committee Charter. Motion Seconded by Mr. Stroup. Ayes: Yates, Hill, Hazel, Stroup, Greer, Crumley, Montgomery, Burton, Railey.**

Mr. Hill recognized Dr. Virgil Kopf who gave a brief budget update.

The Chairman thanked the Committees for their reports.

**Chairman's Remarks:** Mr. Hazel stated that it is the Chairman's prerogative to appoint committees and to reorganize as needed. It has been brought to his attention that the original committee assignments were not in compliance with the committee charters, especially the Wildlife and Boat Committee. The state code requires this committee to have 4 members. Mr. Hazel appointed 5 members. Mr. Hazel announced the following restructuring of committees with the Chairman's of the committees remaining the same:

**Finance, Audit and Compliance:** C. T. Hill, Chairman, Tom Stroup and Dr. Greer

**Education, Planning and Outreach:** Richard Railey, Jr., Vice-Chairman, Sherry Crumley, Mary Louisa Pollard and Randy Kozuch.

**Wildlife and Boat: John Montgomery, Chairman, Charles Yates and Ward Burton. In accordance with the Board Governance Manual, Mr. Hazel announced the nominating committee that will bring forward the recommendations for the 2009 Chairman and Vice-Chairman. The nominating committee members are: Sherry Crumley, Charles Yates and Billy Greer.**

Mr. Hazel stated that he along with the Director, Secretary John Marshall, Public Safety, Secretary Bryan, Natural Resources attended the new Safe Boat Event. These are new boats that were purchased by the Agency with a Homeland Security Grant. He also recognized Colonel Bise for his work on clarifying statements issued during the boating accident coverage reports.

Mr. Hazel has been in constant contact with Secretary Bryan's office regarding the Drought and hunting season.

At the last Board Meeting, the Board agreed to submit their bios to be posted on the web site. He wants this completed as soon as possible so they can be posted at one time.

Mr. Hazel recognized the new outdoor reporter for the Richmond Times Dispatch, Andy Thompson.

One of the fun things that Mr. Hazel participated in recently was the opening ceremonies of the American Kennel Club Master Nationals. He was joined by the Director, Jerry Simms and other Agency Staff. He attended Friday Night and Sunday events. The agency received many compliments on the wildlife management area.

At the conclusion of his remarks, he recognized the Director for his remarks.

**Director's Remarks:** Mr. Courter stated the Agency operations were moving along smoothly and announced the retirement of Colonel Mike Bise effective January 1, 2008. The position has been posted and Colonel Gerald Massengill has agreed to serve as a panel member for the interview process.

He and Chairman Hazel have been meeting with the Board members on an individual basis and found their comments very helpful and productive. They will soon be completing their visits.

Mr. Courter announced the arrival of bumper stickers and hound hunting brochures. These will be sent to Board members as requested and mailed to persons who have questions regarding the hound hunting study.

Mr. Courter recently attended the Big Game Championship awards in Franklin, Virginia and the Central Virginia Quail Unlimited Banquet held at the Isaac Walton Park. He also attended the Virginia Field Trial Organization that deals with bird dogs and stated they appreciated the work of the director and the Quail Focus Group.

Mr. Courter also displayed the plaque received during the American Kennel Club Master Nationals.

Mr. Courter stated that annual staff reviews are being conducted in accordance with the Human Resource requirements. All employees should be receiving their raises in accordance with state guidelines.

This concludes his remarks.

The Chairman thanked the Director for his remarks.

**At 1:18pm., The Chairman asked Ms. Crumley to make the following closed session motion:**

**Mr. Chairman,**

**I move that the Board of Game and Inland Fisheries go into a closed meeting pursuant to Section 2.2-3711.A.3 of the Code of Virginia for discussion or consideration with respect to land acquisitions at the following locations: Accomack County and Southampton County**

**And pursuant to Section 2.2-3711.A.1 of the Code of Virginia for discussion or consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees or employees of the Department of Game and Inland Fisheries specifically regarding: the performance of the Director.**

**Motion seconded by: Mr. Railey. Ayes: Stroup, Greer, Montgomery, Hill, Hazel, Crumley, Burton, Yates and Railey.**

**Dr. Greer departed at 1:20pm.**

**At 3:28 pm, The Chairman as Ms. Crumley to make the following closed session certification:**

**Mr. Chairman,**

**I certify that whereas the Board of Game and Inland Fisheries has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act, and whereas Section 2.2-3712.D of the Code requires a certification by this Board that such a meeting was conducted in conformity with Virginia law; now therefore, be it resolved that the Board of Game and Inland Fisheries hereby certifies that (1) to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (2) only such public**

**business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.**

**Ayes: Stroup, Hill, Hazel, Crumley, Burton, Montgomery, Yates and Railey.**

The Chairman recognized Mr. James Adams to make the following land acquisition motions and recommendations by the staff:

**Mr. Montgomery made the following motion: Mr. Chairman, I move that the Board authorize the Director to proceed to acquire approximately 25 acres of land in Accomack County, Virginia, and such acquisition shall be according to the applicable state procedures. Motion seconded by: Stroup. Ayes: Hill, Hazel, Crumley, Burton, Yates, Railey, Stroup and Montgomery.**

**Mr. Railey made the following motion: Mr. Chairman, I move that the Board Authorize the Director to proceed to acquire approximately 177 acres of land in Southampton County, Virginia, and such acquisition shall be according to applicable state procedures. Motion seconded by: Stroup. Ayes: Hill, Hazel, Crumley, Burton, Yates, Railey, Stroup and Montgomery.**

The Chairman called for additional comments. Hearing none the Chairman announced the next meeting date: January 22, 2008. He stated that a tentative meeting scheduled has been distributed for review and called for discussion or comments. After a brief discussion on the dates, **The Chairman called for approval of the 2008 Board Meeting Dates. Motion Seconded by Ms. Crumley. Ayes: Hill, Hazel, Crumley, Burton, Yates, Railey, Stroup and Montgomery.**

There being no further business, the meeting was adjourned at 3:34pm.

Respectfully submitted,

Beth B. Drewery  
Board Secretary

